

| DIST/OFFICE | DOCKET YR. | DOCKET NUMBER | FILING DATE MO. | FILING DATE DAY | FILING DATE YEAR | J | N/S | O | R | R 23 | S | DEMAND OTHER | JUDGE NUMBER | JURY DEM. | DOCKET YR. | DOCKET NUMBER | |
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PLAINTIFFS

DEFENDANTS

UNITED STATES OF AMERICA - DOJ

0.97 Acres of Land, More or Less, Situate in Tulsa County, State of Oklahoma, and John L. Boyd, et al and Unknown Owners

CAUSE

28 USC 1345
Title 40, Sec. 258A, USC - Condemnation for Keystone Lake Project for U. S. Army Engr. Dist., Tulsa

ATTORNEYS

Nathan G. Graham, U. S. Atty.
Hubert A. Marlow, Asst. U. S. Atty.
460 U. S. Court House
Tulsa, Okla. 74103

John L. Boyd, Pro Se (582-3222)
~~217 W. 5th~~ 111 W. 5th
Tulsa, Oklahoma 74103

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|--|------------------|----------------|-------------|-------------------|-------------|
| <input type="checkbox"/> CHECK HERE IF CASE WAS FILED IN FORMA PAUPERIS | FILING FEES PAID | | | STATISTICAL CARDS | |
| | DATE | RECEIPT NUMBER | C.D. NUMBER | CARD | DATE MAILED |
| | | | | JS-5 | 2-1-75 |
| | | | | JS-6 | 3-1-76 |

| DATE | NR. | PROCEEDINGS |
|---------|-----|--|
| 1-28-75 | 1. | Complaint, filed. 1m |
| 1-28-75 | 2. | Declaration of Taking, filed. 1m |
| 1-28-75 | 3. | Notice of Condemnation, filed. 1m |
| 1-28-75 | 4. | Motion for Order of Delivery, filed. 1m |
| 1-28-75 | MO | Case transferred to Judge H. Dale Cook (AEB-J) 1m |
| 1-28-75 | 5. | Order for delivery of possession, filed. (HDC-J)g |
| 2-12-75 | | Summons, ret. & filed: served John L. Boyd, Mariellen S. Boyd, Tulsa County Bd. of Commrs., Assessor & Treasurer, all in Tulsa, Ok. on 2-3-75; served State of Okla. ex rel Okla. Tax Commission, Ok. City on 2-4-75. (USM \$38.72)g |
| 2-18-75 | 6. | Disclaimer of deft. State of OK, ex rel. OK Tax Commission, filed.k |
| 2-19-75 | 7. | ANSWER of Defts. John and Mariellen Boyd, filed.jj |
| 2-24-75 | 8. | ANSWER of Deft., County Treasurer, filed.jj |
| 2-24-75 | 9. | ANSWER of Deft., Bd. of Cty. Commissioners, filed.jj |
| 4-15-75 | 10. | Motion of pltf. to strike Answer of defs., Boyds, w/brief in support thereof (part of motion), filed. rm |
| 4-15-75 | MO: | Ordered by the Ct. that def., Boyd, file response to govt. mo/strike within 10 days. (HDC-J)hm-letter |
| 4-25-75 | 11. | Appl. of defs., Boyds, for ext. of time to file responsive brief, filed. rm <i>o b g</i> |
| 4-25-75 | 12. | Order extending time, filed, granting defts. Boyd and Boyd until 5-5-75 to file responsive brief. (HDC-J)hm (copies mailed) |
| 5-5-75 | 13. | Responsive brief to Pltf.'s Mot. to Strike Defts.' Answer, filed. v |
| 5-5-75 | 14. | Tender, filed by Defts. John L. Boyd and Mariellen S. Boyd. v |
| 7-8-75 | 15. | Order overruling pltf's mot. to strike defts' answer, filed. (HDC-J)g |
| 7-16-75 | MO: | Case set for PT hearing 8-27-75 at 10:30 a.m. (HDC-J)hm |
| 8-25-75 | 16. | Pre-Trial Conference Memorandum, filed. mm |
| 9-5-75 | 16A | Request for admissions by def. filed. rm |
| 9-5-75 | 16B | MO/shorten time to ans. requests w/aff of J. Boyd, filed. rm |
| 8-27-75 | MO: | Pretrial hearing held. Statements made. Pltf. to prepare PT order by 9-8-75 and case set for non-jury trial 9-19-75 at 10:00 a.m. (HDC-J)hm |
| 9-8-75 | 17. | Order, filed, shortening time to respond to request for admissions until 9-12-75 at 5:00 p.m. If response is not made to any request said request shall stand admitted. (HDC-J)v -cps mld. |
| 9-9-75 | 18. | Pretrial Order, filed. (HDC-J)v |
| 9-10-75 | 19. | Pltf's objections to defts' request for admission of facts & genuineness of documents, filed, w/brief. hm |
| 9-12-75 | MO: | Ordered that pltf's objections to defts' request for admission of facts and genuineness of documents is overruled. (HDC-J)hm (on face of objections) (copies mailed) |

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CIVIL DOCKET CONTINUATION SHEET

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|--------------------------------|---------------------|---------------------------------|
| PLAINTIFF | DEFENDANT | DOCKET NO. <u>75-C-36</u> |
| UNITED STATES OF AMERICA - DOJ | 0.97 Acres of Land, | PAGE <u>2</u> OF <u>2</u> PAGES |

| DATE | NR. | PROCEEDINGS |
|----------|------|---|
| 9-12-75 | 20. | Plaintiff's Answer to Defendant's Request for Admission of Facts and Genuineness of Documents, filed. mm |
| 9-17-75 | | Deposition of William S. Bailey, Jr. on behalf of the defts., taken before Donald R. Lindquist, CSR on 9-9-75 W/fees of \$19.50 pd by the defts., filed.mm |
| 9-19-75 | ,MO: | Case tried to the Court. Deft. makes opening statement. Deft. presents case in chief w/test. of witnesses. Exhibits admitted. Pltf. makes statement. Pltf. rests. Parties allowed to submit copies of exhibits in exchange for originals. Deposition of Mr. Bailey offered by deft. & received into evidence. Deft. offers ans. to interrog. & they are received into evidence. Parties rest. Ruling taken under advisement on whether agreement is binding. Pltf. to file brief in 15 days; deft. to respond 15 days thereafter; govt. given 5 days thereafter to respond, if desired. (HDC-J)hm |
| 9-19-75 | | Trial exhibits, filed. hm |
| 10-3-75 | | Reporter's Transcript of Proceedings had on 9-19-75 Nonjury trial, filed. lm (Orig. & Clk's cpy) |
| 10-6-75 | 21. | Brief of Plaintiff, USA on Question of Validity of Memorandum Signed by Thomas M. Smith, filed. mm |
| 10-20 | 22. | Brief of defts John L. Boyd and Mariellen S. Boyd, filed.lm |
| 10-24 | 23. | Response of Pltf. to Brief of Defendants, filed.jj |
| 12-18-75 | 24. | Memorandum opinion, filed; the matter of just compensation to be set for hearing. (HDC-J)hm (copies mailed) |
| 12-19- | MO: | Case set for hearing on determination of just compensation on 2-4-76 at 10:00 a.m. (HDC-J)hm (notices sent) |
| 2-4-76 | MO: | Case stricken from hearing of this date pending settlement, (HDC-J)hm |
| 2-6 | MO: | Case set for N/J trial 2-20-76 at 9:30 a.m. (HDC-J)hm |
| 2-10 | 25 | Final Judgment, filed & entered. (HDC-J)g |
| 2-9 | 26. | Stipulation as to Just Compensation, fld. by Pltf. v |
| 4-9 | 27. | Notice of appeal by John L. and Mariellen S. Boyd from judg. of 2/10/76, filed. rm (copy to USCA) |
| 4-12 | 28 | Bond Costs on Appeal, filed. (\$250.00 cash)t |
| 4-30 | | Original record on appeal (3 vols) transmitted to USCA.rm |
| 6-25 | 29. | Motion of defs. Boyds for relief from judg., filed. rm |
| 6-25 | 30. | Brief in support of mo/relief, filed. rm |
| 6-25 | MO: | Ordered by the Ct. that pltf. is granted 10 days to respond to defs. mo/relief from judg. (HDC-J)rm-letter |

CIVIL DOCKET CONTINUATION SHEET

| PLAINTIFF | | DEFENDANT | DOCKET NO. <u>75-C-36-C</u> |
|---------------------|-----|--|---------------------------------|
| USA | | 0.97 Acres of Land, et al | PAGE <u>3</u> OF <u>2</u> PAGES |
| DATE | NR. | PROCEEDINGS | |
| 7-2-76 | 31. | Pltf's resp. to defts' motion for relief from judgment, filed. ph | |
| 7-2 | 32. | Pltf's brief in support of its resp. to defts' mo/relief from judgment, filed. ph | |
| 7-9 | 33. | Mem. brief of def. in reply to pltf. response, filed. rm | |
| 7-30 | 34. | Order, filed, that motion of defts. Boyd & Boyd for relief from judgment is hereby overruled. (HDC-J)hm (copies mailed) | |
| 8-11-77 | | Mandate & Opinion of USCA, affirming judgment of 2-10-76, filed and spread of record. g | |
| 8-17 | -- | Original Record (containing Vol. I (pleadings), II (deposition) and III (transcript)), received from 10th circuit this date. v | |
| <u>1980</u> 7-28 | -- | DEPOSITION of William S. Bailey returned to deft. counsel. hm | |
| <u>1982</u> 4-30 | 35 | APPLIC for disbursement of cash bond for costs on appeal.(0 to J)a | |
| 5-5 | 36 | ORDER for disbursement of \$250.00 cash bond to John L. Boyd.(HDC-J)jc (c/Boyd) | |
| <u>1983</u> 3-2 | -- | EXHIBITS returned to counsel. hm | |